MT LEGISLATIVE HISTORY

Chapter 52 1965

Bill H 46 S _____ Original bill & hist. ___C

H. Committee on Hwys.			S. Committee on Hwys		
Hearing Date(s)	1-11	___C	Hearing Date(s)	1-20	___C
	1-14	___C		_____	___C
	_____	___C		2-17	___C
	_____	___C		_____	___C
Date Out	1-14	___C	DATE OUT	2-17	___C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

The Law Library has no House Highways Sub committee minutes, or Senate Highways Sub committee minutes.

Bill #	TITLE	Date Rec'd	Date of Hearin	Sub-Comm. Chrmn.	Date and Committee Action
HB 46	To require driver of motor vehicle entering highway from an approach ramp to yield right of way to all approaching traffic.		1-11 1-14	Lewis-Chrmn w/Schye & Obstarzyck	1-14 Do Pass
HJR 4	To direct Highway Commission to conduct study of feasibility of multi=purpose tunnel in vicinity of McDonald Pass.	1/6	1-11 1-14 2/2		1/11 Defer action 1/14 Tabled 2/2 Do Pass as amended
HB 75	To establish uniform and modern regulations relating to brakes on vehicles.		1-11 1-14		1-11 Do Pass & introduce as committee bill. 1-19 Do Pass
HB 100	Relating to duties & records of the Registrar of Mtr Vehicles by providing a more extensive record in the case of dealers.		1-14 1-19		1-14 Returned to lobbyist, refused to sponsor as committee bill. 1-19 Do Pass as amended.
HB 101	Pertaining to registration fees of motor vehicles by increasing fee for dealers in motor vehicles.		1/14 1/19 1/21		1/14 Returned to lobbyist, refused to sponsor as committee bill. 1/19 Do Pass 1/21 Do Pass as amended
HB 92	Concerning the age at which an operators license may be issued.	1/15	1/19 2/10		1/19 action deferred **2/10 Do Not Pass**
	Highway Dept. bill relating to disposing of commissioners positions in actions of eminent domain.		1-14 1-19		1/14 Returned to highway dept, refused to sponsor 1/19 same as above
HB 141	Permit movement of trucks and trailers for demonstration purposes.		1/21		1/21 Do Pass

January 11, 1965

The Committee on Highways met at 2:30 P.M., with a quorum present and Chairman Laas presiding.

Chairman Laas made several introductory remarks. He asked for continued cooperation as in the past two sessions when he served on the committee; also, we have the past chairman still with us and we hope to keep the committee on as high a plane as in the past. He stated that all members should please direct their questions to the chair which would allow the business to be done in a more orderly fashion.

Rep. Nelson was present to explain House Bill No. 46. He stated it was a short bill but a good one since he hopes it will prevent accidents occurring when people enter a highway.

Rep. Lewis asked for a definition of the word "ramp". There was general discussion of the definition. Later, Alec Stephenson, head of the Montana Highway Patrol stated that "Public Ramp" means entrance to interstate highways.

Further discussion of the bill disclosed that it does not require signs to be put up at all entrances and that it may be just addition of the words "Public Approach Ramp" to the present law.

It was moved and carried that House Bill No. 46 be put into the hands of a subcommittee for study since there may be many far reaching effects of this seemingly simple bill. Rep. Lewis, chairman of the subcommittee and Rep's Obstarczyk and Schye to serve with hi After further study of this bill they will report back to the Highways Committee. Rep. Lucas will meet with the subcommittee.

Rep. Watt explained House Joint Resolution No. 4 in regard to a study of the feasibility of a tunnel in the vicinity of McDonald Pass. He stated he had introduced a similar resolution two years ago which was killed by the committee. He has rewritten this resolution and taken it up with the Highway Department. He went on to say that the highway department was not opposed to it and are, in fact, interested in it. Mr. Watt went on to explain a fact which, he said had a little bearing on the resolution - the highwa department has been asked to define all scenic roads in Montana; th state has about 2,000 miles of these. One of the scenic roads is the drive over McDonald Pass.

Mr. Watt went on to say that the highway department would not need to spend any particular amount of money on the study. They would wait until summer to do aerial reconnaisance and photography, geological and seismograph investigations. The time of two years would not make the time factor a problem. If the tunnel were built the distance would be greatly shortened and curves eliminated, maki for more rapid transit. This resolution has many signers and is merely an exploratory resolution so that information would be avail able when the economic picture changes or if methods of tunnelling

January 14, 1965

The Committee on Highways met at 2:30 p.m., with a quorum present and Chairman Laas presiding.

A report on H.B. no. 46 was made by subcommittee chairman, Rep. Lewis. He reported the bill pertained to interstate highways and that under present law vehicles entering highway can be travelling only at 15 mph, which this bill would eliminate. Recommended by subcommittee that H.B. No. 46 DO PASS.

Chairman Laas asked for questions or remarks.

Rep. Watt stated the subcommittee's interpretation was different from Representative Nelson's. It was clarified that the bill was needed to speed up traffic and to up date laws to fit specifications.

Rep. Lewis moved DO PASS; Rep. Schye seconded and carried.

Rep. Watt talked on HJR 4. He reported the cost of the proposed study could vary widely; from one week of engineering time to $100,000 but it is thought it would be approximately $40,000. The average daily traffic in 1963 was 1,190 per day. The average daily traffic projected for 20 years: 2,320 per day or a daily hourly volume of 300. Maintenance cost of MacDonald Pass is 2½ to 3 times higher in the proposed study of tunnel area than the remainder of MacDonald Pass.

Rep. Watt reported the Highway Department is making a preliminary analysis of the proposed study and will make that information available to him in about one week. HJR 4 was tabled by Chrmn Laas until this information is received.

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John Cadby of Montana Automobile Dealers Association was present to urge the committee to present two bills prepared by the Montana Vehicular Research Association. He explained that the primary bill would amend the present dealers' license law or annual store license. It would include sheriff's verification, verifying the information contained on the application to the registrar. The intent of verification is to eliminate fraudulent applications in order to avoid personal property tax. A fee of $5 to accompany application to registrar for investigation of truth of application. This would eliminate possibility of false applications. It also contains clause that records must be kept by dealers of all transactions. The secondary bill is to increase registration fee for dealers from $30 to $60. The intent of the fee is to give the registrar more funds to provide closer inspection of the applications.

Chrmn Laas asked if there were any objections to introducing the above two bills as committee bills after a few minutes of discussion. Rep. Lewis objected, commenting that it would be restraint of trade. The bills were returned to Mr. Cadby.

January 14, 19 64

MR. SPEAKER:

We, your Committee on HIGHWAYS

having had under consideration House Bill No. 46

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 32-2173 OF THE REVISED CODES OF MONTANA, 1947, TO REQUIRE THE DRIVER OF A MOTOR VEHICLE ENTERING A HIGHWAY FROM AN APPROACH RAMP TO YIELD THE RIGHT OF WAY TO ALL APPROACHING TRAFFIC."

Respectfully report as follows: That House Bill No. 46

Jan. 14 1965

Received from the Highways Committee

House Bills No. 46

Do Pass.

Chairman

WALTER LAAS

234—1-65—44191

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

BILL NO.	ENTERED COMM.	OUT OF COMM.	DO PASS	DO NOT PASS	DO PASS AS AMENDED	BE CONCURRED IN	BE NOT CONCURRED IN
SB 72	1/20/65	1/20/65	*				
SB 68	1/20/65 to Sub-Comm.	1/25/65	*				
HB 46	1/20/ Sub-Comm.	2/17/65	*			*	
SB 125	1/22/65	Amended 1/22/65	*				
SB 131	1/25/65	1/25/65	*				
SB 132	1/25/65	1/25/65	*				
SB 170	1/25/65	Amended 1/3/65	*				
SB 92	1/27/65	Amended 2/5/65	*				
SB 117	1/27/65	1/27/65	*				
SB 45	1/29/65	1/3/65		*			
SB 91	1/29/65	Amended 2/5/65	*				
SB 220	2/1/65	2/8/65	*				
SB 175	2/1/65	2/8/65		*			
SB 168	2/5/65	2/5/65	*				
SB 153	2/5/65	Amended 2/5/65	*				
SB 133	2/5/65	2/5/65	*				
SB 145	2/5/65	2/5/65	*				
SB 125	2/8/65	2/8/65	*				

MINUTES OF MEETING OF THE
HIGHWAY AND TRANSPORTATIONCCOMMITTEE
STATE SENATE

January 20, 1965

A meeting of the Highway and Transportation Committee was called to order by Chairman Bovey, January 20, 1965, at 2:30 p.m. in room 407 of the State Capitol Building.

Roll Call: All members present, except Senator Reardon.

CONSIDERATION OF Senate Bill No. 72. Senator Cummings, Granite, sponsor, explained the bill: A Bill that would make it mandatory for people building new automobiles to put seat belts in the front seat, one on each side.

SENATOR MAHONEY MOVED THAT SB 72 DO PASS; SECOND BY SENATOR MORITZ; CARRIED.

CONSIDERATION OF SB 68. Senator Bentz, co-sponsor with Senator Cotton explained the bill, a bill including haystack movers to be included in implements of husbandry in order that they may be moved on the highways. Appointment of Sub-committee to study with the idea of possibly adding other machinery. SUB-COMMITTEE: McGowan, Bentz, Moritz.

CONSIDERATION OF an unnumbered bill presented by Alex Stephenson, Supervisor, Montana Highway Patrol. It was a compact bill re: drivers' licenses, had passed in 32 other states in by 1963, there being only 11 western states that had not enacted it. MOVED BY SENATOR McGowan to introduce it as a committee bill if agreeable with Senator Reardon who was absent and if he was not agreeable some member of the committee would introduce it. SECOND, SENATOR HOLT; CARRIED.

CONSIDERATION OF HB 46, regarding speed restrictions when entering an Interstate highway. Discussion. Appointment of SUB-Committee: SENATORS MAHONEY AND HOLT.

CONSIDERATION OF ANOTHER UNNUMBERED BILL explained by Alex Stephenson and Captain C. M. Kerr, of Highway Patrol. Purpose was to save $5000 a year in postage in sending out notices by ordinary mail rather than by registered mail when giving notice of revoking of drivers' licenses --there being more than 1200 for drunken drivers. NO ACTION.

ADJOURNMENT.

Charles A. Bovey

Senator Charles A. Bovey, Chairman

MINUTES OF MEETING OF THE
HIGHWAY AND TRANSPORTATION COMMITTEE
STATE SENATE

February 17, 1965

A meeting of the Highway and Transportation Committee was called to order by Chairman Bovey, February 17, 1965at 3:45 p.m. in room 407 of State Capitol.

ROLL CALL by secretary: All members were present except Senators Cole and Reardon.

CONSIDERATION OF HOUSE BILL No. 255 - Residence qualifications of state appraisers. The author of the bill, John Obstarczyk from House of Representatives explained and spoke in favor of the bill. No other proponents appeared.

OPPONENTS FOR THE BILL: Elmer Edmonson, an independent Appraiser, and a member of the American Institute of Appraisers.
Richard Hoover, Real estate appraiser.
Fred Barkley, Missoula, Montana, real estate appraiser.
Lewis Chittam, Engineer for the Highway, Right of way Div.

Questions and discussion.
MOVED BY SENATOR MAHONEY that HB No. 255 BE NOT CONCURRED IN; SECOND, Senator Michels; Carried.

CONSIDERATION OF HOUSE BILL NO. 268 - Schye - Litterbug bill. No opponents appeared for the bill. Questions and discussion. MOVED BY SENATOR MORITZ THAT HB NO. 268 BE CONCURRED IN; SECOND, SENATOR HOLT; CARRIED.

Highway Committee
CONSIDERATION OF HOUSE BILL NO. 247 -/SCHYE - RE DAMAGING SIGNS ON HIGHWAYS. Representative Schye appeared for the bill and explained it. Questions and discussion. MOVED BY SENATOR McGOWAN THAT H.B. NO. 247 BE CONCURRED IN; SECOND, SENATOR BENTZ; CARRIED.

CONSIDERATION OF HOUSE BILL NO. 46 - HIWAY COMMITTEE, RE SPEED ON INTERSTATE APPROACHES. Tom Harrison, Attorney for Highway Dept. appeared for the bill and explained it. Discussion and questions. MOVED BY SENATOR MAHONEY THAT H.B. NO. 46 BE CONCURRED IN; SECOND, SENATOR MANNING; CARRIED.

CONSIDERATION OF HOUSE BILLS NO. 249 - Highway Committee - Prohibiting drivers from eluding police officers, etc. Supervisor Alex Stephenson appeared and explained the bill. Discussion and questions: MOVED BY SENATOR MAHONEY that H. B. NO. 249 NOT BE CONCURRED IN; SECOND, SENATOR MANNING; CARRIED.

CONSIDERATION OF HOUSE BILL NO. 250 RE PROVISION ON DELETING PROHIBITION OF PATROLMEN FROM CONGREGATING TO SUPPRESS RIOTS, ETC. Highway Committee bill. Discussion and questions. MOVED BY SENATOR MAHONEY THAT HB NO. 250 BE CONCURRED IN; SECOND, SENATOR MICHELS; CARRIED.

Adjournment:

Charles A. Bovey

Senator Charles A. Bovey, Chairman

otherwise have under any laws of this state, but shall be construed as cumulative.

State planning board—advice.

Section 10. The state planning board shall furnish advice and information in connection with a project when requested to do so by a county or municipality.

Validity of act.

Section 11. If any section in this act or any part of any section shall be declared invalid or unconstitutional, such declaration of invalidity shall not affect the validity of the remaining portions thereof.

Approved February 24, 1965.

CHAPTER 52

An Act to Amend Section 32-2173 of the Revised Codes of Montana, 1947, to Require the Driver of a Motor Vehicle Entering a Highway from an Approach Ramp to Yield the Right of Way to All Approaching Traffic.

Be it enacted by the Legislative Assembly of the State of Montana:

Amending clause.

Section 1. That section 32-2173 of the Revised Codes of Montana, 1947, is amended to read as follows:

Vehicle entering highway to yield.

"32-2173. **Vehicle entering highway from private road, driveway** *or public approach ramp.* The driver of a vehicle about to enter or cross a highway from a private road, driveway *or public approach ramp* shall yield the right of way to all vehicles approaching on said highway."

Approved February 25, 1965.

CHAPTER 53

An Act Requiring the Inclusion of a Fiscal Note in All Bills Having an Effect on the Revenues, Expenditures or Fiscal Liability of the State.

Be it enacted by the Legislative Assembly of the State of Montana:

Revenue bills—fiscal notes—when.

Section 1. All bills reported out of a committee of the legislative assembly having an effect on the revenues, expenditures or fiscal liability of the state, except appropriation measures carrying specific dollar amounts, shall

include a fiscal note incorporating an estimate of such effect. Fiscal notes shall be requested by the presiding officer of either house, who shall determine the need for the note at the time of introduction.

State budget director.

Section 2. The state budget director, in cooperation with the agency or agencies affected by the bill, is responsible for the preparation of the fiscal note and shall return same within six (6) days.

Completed fiscal note.

Section 3. A completed fiscal note shall be submitted by the budget director to the presiding officer who requested it, who shall refer it to the committee considering the bill. If the bill is printed, the note shall be mimeographed and placed on the members' desks.

Fiscal notes—to show.

Section 4. Fiscal notes shall, where possible, show in dollar amounts the estimated increase or decrease in revenues or expenditures, costs which may be absorbed without additional funds, and long-range financial implications. No comment or opinion relative to merits of the bill shall be included; however, technical or mechanical defects may be noted.

Requested fiscal notes.

Section 5. A fiscal note also may be requested on a bill by:

(1) A committee considering the bill, or

(2) A majority of the members of the house in which the bill is to be considered, at the time of second reading; providing, however, section 5 of this act shall not apply six (6) days before the close of transmittal of bills and/or shall not apply after the fifty-fourth day.

Background information.

Section 6. The budget director shall make available on request to any member of the legislative assembly all background information used in developing a fiscal note.

Approved February 25, 1965.

CHAPTER 54

An Act to Amend Section 32-2177 of the Revised Codes of Montana, 1947, Relating to Pedestrians' Right of Way in Crosswalk; Repealing All Acts and Parts of Acts in Conflict Herewith; and Providing an Effective Date.